

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement
(916) 322-5662 322-5660 322-5901 322-6441

April 23, 1985

David M. Kennedy
City Attorney
200 Lincoln Avenue
Salinas, CA 93901

Re: Your Request for Advice
Our File No. A-85-087

Dear Mr. Kennedy:

Thank you for your letter requesting advice about the conflict of interest provisions of the Political Reform Act. You have referred to our letter to Robert B. Yee, File No. A-85-323 (copy enclosed), in which we stated that city employee who holds a salaried position as executive director of a nonprofit community agency must disqualify himself from participating as a city employee in any decision that would affect grants to the community agency, when the decisions are made by his department, and must also refrain from attempting to influence decisions of his department affecting the community agency's application for funds. You have asked whether the same restrictions would apply to a city employee who is an unsalaried executive director of a nonprofit community agency. I have enclosed a copy of a letter to Sidney Maleck of El Monte, File No. A-80-031, which addresses a similar question.

If, after reading the enclosed letters, you have any further questions about a specific decision or a specific fact situation, please contact me at (916) 322-5901.

Very truly yours,

Kathryn E. Donovan
Counsel
Legal Division

KED:plh
Enclosures



City of Salinas

OFFICE OF THE CITY ATTORNEY • 200 Lincoln Avenue • Salinas, California 93901 • (408) 758-7256

APR 10 5 02 AM '85

April 11, 1985

FPPC
1100 K Street
Sacramento, CA 95814

Gentlemen:

Please refer to your letter to Robert B. Yee, Oakland, dated January 25, 1985, File No. A-84-323, as summarized in Vol. 11, No. 4.

Would your advice be any different if the City employee were a nonsalaried board of director member of such a nonprofit agency?

Very truly yours,

DAVID M. KENNEDY
City Attorney

DMK:jbb

cc: Ed Piper

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April 17, 1985

David M. Kennedy
Salinas City Attorney
200 Lincoln Avenue
Salinas, CA 93901

Re: A-85-087

Dear Mr. Kennedy:

Your letter requesting advice under the Political Reform Act has been referred to Kathryn Donovan, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

Barbara A. Milman
colh

Barbara A. Milman
General Counsel

BAM:plh